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6 UNITED STATES DISTRICT COURT
7 CENTRAL DISTRICT OF CALIFORNIA
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10 FERNANDO BENITEZ,

11 Petitioner,

12 v.

13 WARDEN SPEARMAN,

14 Respondent.
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Case No. CV 17-3129-RSWL (KK)

ORDER ACCEPTING FINDINGS
AND RECOMMENDATION OF
UNITED STATES MAGISTRATE
JUDGE

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17 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for a Writ
18 of Habeas Corpus, the Motion to Dismiss, the records on file, and the Report and
19 Recommendation of the United States Magistrate Judge. No objections have been
20 filed. The Court accepts the findings and recommendation of the Magistrate
21 Judge.

22 IT IS THEREFORE ORDERED that (1) Respondent's Motion to Dismiss is
23 granted; and (2) Judgment be entered dismissing this action with prejudice.
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25 Dated: 12/13/2017

26 s/ RONALD S.W. LEW
HONORABLE RONALD S. W. LEW
United States District Judge
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